

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WINSTON SHINES,

Plaintiff,

vs.

Case No. 15-11599
HON. GERSHWIN A. DRAIN

WAYNE STATE UNIVERSITY,

Defendant.

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ORDER OF DISMISSAL WITH PREJUDICE

On August 9, 2016, the parties placed a settlement on the record. Plaintiff has refused to sign the parties' settlement agreement. On September 6, 2016, the parties appeared before the Court and Defendant orally moved for enforcement of the settlement agreement. This Court has "broad, inherent authority and equitable power . . . to enforce an agreement in settlement of litigation pending before it, even where that agreement has not been reduced to writing." *Bostick Foundry v. Lindberg*, 797 F.2d 280, 282-83 (6th Cir. 1986). "Once concluded, a settlement agreement is as binding, conclusive, and final as if it had been incorporated into a judgment . . ." *Id.* at 283.

Here, there is no dispute that a settlement agreement was placed on the record

on August 9, 2016. The settlement agreement is binding on both parties and contemplates dismissal of Plaintiff's claims against Defendant in exchange for monetary consideration. Accordingly, the Court will enforce the settlement agreement and dismiss this matter.

This case hereby is DISMISSED WITH PREJUDICE. The court retains jurisdiction to enforce the settlement agreement.

SO ORDERED.

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

Dated: September 9, 2016

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys/parties of record on September 9, 2016 by electronic and/or ordinary mail.

/s/Teresa McGovern
Case Manager Generalist